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Docket No. 201554US0X

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Karlheinz DRAUZ, et al.

SERIAL NO: 09/769,397

GAU: 1723

FILED: January 26, 2001

EXAMINER: S.U. KIM

FOR: AMINO ACID COMPOSITION FOR HEMODIALYSIS

TERMINAL DISCLAIMER

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes the undersigned Richard L. Treanor, Attorney of Record in the present application, who avers as follows:

DEGUSSA AG is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment, said Assignment having been filed for recordation in the U.S. Patent and Trademark Office and a copy of said Assignment is attached hereto.

DEGUSSA AG hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of any patent issuing from application Serial No. 09/399,743, and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent issuing from application Serial No. 09/399,743, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

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05/12/2004 SSITHIB1 00000048 09769397

02 FC:1251

110.00 OP

5/10/04

Date Signed

Respectfully Submitted,

OBLON, SPIVAK, MCCLELLAND,
MAIER & NEUSTADT, P.C.

Richard L. Treanor
Registration No. 36,379

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05/12/2004 SSITHIB1 00000139 09769397

01 FC:1814

110.00 OP

Void date: 05/12/2004 SSITHIB1
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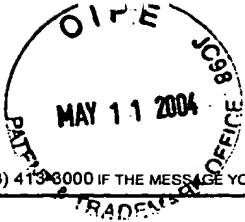
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By: KLH/knd

OSMM&N File No. 201554US-0X

Serial No. 09/769,397

Patent No. _____

In the matter of : Karlheinz DRAUZ, et al.

For: AMINO ACID COMPOSITION FOR HEMODIALYSIS

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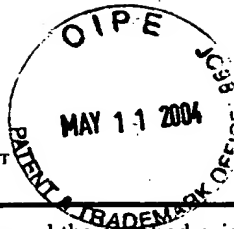
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1. Karlheinz DRAUZ
2. Guenter KNAUP
3. Gerard RICHET
4. Werner KLEOPHAS
5. Adolf GRUENERT

2. Name and address of receiving party(ies):

Name: DEGUSSA AG
Address: Bennigsenplatz 1,
Duesseldorf,
D-40474 Germany

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of Conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: 1. & 2. April 20, 2002
3. April 30, 2002
4. April 24, 2002
5. April 27, 2002

Additional name(s) and address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

09/769,397

B. Patent No.(s)

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Marvin J. Spivak

Name of Person Signing

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Assignment of Application

Page 1 of 2

WHEREAS, I (WE) Karlheinz DRAUZ, Zur Marienruhe 13, D-63579 Freigericht, Germany
Guenter KNAUP, Friedhofstrasse 8, D-63486 Bruchkoebel, Germany
Gerard RICHET, 88, avenue Robert Schumann, F-02100 Saint-Quentin, France
Werner KLEOPHAS, Karlstrasse, D-40210 Duesseldorf, Germany
Adolf GRUENERT, Tokajerweg 22, D-89075 Ulm, Germany

_____, respectively,

have invented certain new and useful improvements in: AMINO ACID COMPOSITION FOR HEMODIALYSIS

for which an application for Letters Patent was executed on _____
(Application No. 09/769,397, filed January 26, 2001), and

WHEREAS, DEGUSSA AG

(hereinafter referred to as "ASSIGNEE") having a place of business at: Bennigsenplatz 1, Duesseldorf,
D-40474 Germany

is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent that may be granted therefore in the United States and its territorial possessions and in any and all foreign countries;

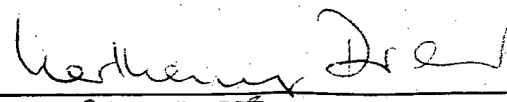

NOW, THEREFORE, in consideration of the sum of FIVE DOLLARS (\$5.00), the receipt whereof is hereby acknowledged, and for other good and valuable consideration, I (WE), by these presents do sell, assign and transfer unto said ASSIGNEE, the full and exclusive right to the said invention in the United States and its territorial possessions and in all foreign countries and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in any and all foreign countries and in and to any and all divisions, reissues, continuations, substitutions and renewals thereof.

I (WE) hereby authorize and request the Patent Office Officials in the United States and its territorial possessions and any and all foreign countries to issue any and all of said Letters Patent, when granted, to said ASSIGNEE as the assignee of my (our) entire right, title and interest in and to the same, for the sole use and behoof of said ASSIGNEE, its (his) successors and assigns, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by me (us) had this Assignment and sale not been made.

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Further, I (WE) agree that I (WE) will communicate to said ASSIGNEE or its (his) representatives any facts known to me (us) respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitute, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letter Patent to be issued to said ASSIGNEE, make all rightful oaths, and, generally do everything possible to aid said ASSIGNEE, its (his) successors and assigns, to obtain and enforce proper protection for said invention in the United States and its territorial possessions and in any and all foreign countries.

The undersigned hereby grant(s) the firm of Oblon, Spivak, McClelland, Maier & Neustadt, P.C. of Fourth Floor, 1755 Jefferson Davis Highway, Arlington, Virginia 22202 the power to insert on this assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

| | |
|-----------------------|---|
| Date: <u>04/20/02</u> | <u></u> (Signature of Inventor) Karlheinz DRAUŽ |
| Date: <u>04/20/02</u> | <u></u> (Signature of Inventor) Guenter KNAUP |
| Date: _____ | _____ (Signature of Inventor) Gerard RICHET |
| Date: _____ | _____ (Signature of Inventor) Werner KLEOPHAS |
| Date: _____ | _____ (Signature of Inventor) Adolf GRUENERT |
| Date: _____ | _____ (Signature of Inventor) |
| Date: _____ | _____ (Signature of Inventor) |
| Date: _____ | _____ (Signature of Inventor) |

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.
ATTORNEYS AT LAW
FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VIRGINIA 22202

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|-------------------------------|--|
| Date: _____ | (Signature of Inventor) _____ Karlheinz DRAUZ |
| Date: _____ | (Signature of Inventor) _____ Guenter KNAUP |
| Date: <u>April 20th, 2002</u> | <u>Gerard Richet</u> <u>Gerard Richet</u> (Signature of Inventor) Gerard RICHET |
| Date: _____ | (Signature of Inventor) _____ Werner KLEOPHAS |
| Date: _____ | (Signature of Inventor) _____ Adolf GRUENERT |
| Date: _____ | (Signature of Inventor) _____ |
| Date: _____ | (Signature of Inventor) _____ |
| Date: _____ | (Signature of Inventor) _____ |

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Date: _____

(Signature of Inventor)

Karlheinz DRAUZ

Date: _____

(Signature of Inventor)

Guenter KNAUP

Date: _____

(Signature of Inventor)

Gerard RICHET

Dialysezentrum Karlstraße
40210 Düsseldorf, Karlstraße 17-19
T. 02 11-167 97 91. F. 02 11-167 97 97

Date: 04/24/2002

(Signature of Inventor)

Werner KLEOPHAS

Date: _____

(Signature of Inventor)

Adolf GRUENERT

Date: _____

(Signature of Inventor)

Date: _____

(Signature of Inventor)

Date: _____

(Signature of Inventor)

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.

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| Date: _____ | (Signature of Inventor) <u>Guenter KNAUP</u> |
| Date: _____ | (Signature of Inventor) <u>Gerard RICHET</u> |
| Date: _____ | (Signature of Inventor) <u>Werner KLEOPHAS</u> |
| Date: <u>04-27-2002</u> | (Signature of Inventor) <u>Adolf GRUENERT</u> |
| Date: _____ | (Signature of Inventor) _____ |
| Date: _____ | (Signature of Inventor) _____ |
| Date: _____ | (Signature of Inventor) _____ |

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